

The Regular Session was called to order at 7:00 P.M., by Mayor Ferguson with City Councilors Simillion, Stone, Smits and Duba present along with City Attorney Landwehr, City Manager Collins, City Clerk Davidson, Finance Director Hanson, Public Works Director Coleman, Police Chief Keehne, Parks & Recreation Director Ampietro, Community Development Director Westbay, Western State College Intern Johnston, Electric Supervisor Bradford, Planner Antonucci, many interested citizens and the press.

PUBLIC HEARING**7:00 P.M.**

The Public Hearing was called to order at 7:00 P.M. Mayor Ferguson stated the purpose of the Public Hearing is to receive public input on the proposed City Electric Rates. The City Clerk provided proof of publication and public notice. Public Works Director Coleman recommended passage of the Ordinance due to drought-related rising costs of hydroelectric-produced power.

Mayor Ferguson called for public input.

Ralph “Butch” Clark came forward. Mr. Clark stated there has been a lot of studies done on hydropower production in the Colorado River Basin. Western Area Power Administration has been monitoring the loss of water due to the continuing drought. Mr. Clark urged the City to continue to monitor the costs for this power and project this into the future. The City needs to be on top of the situation. It is a really tough problem. Council thanked Mr. Clark and the Mayor reminded everyone the City still has some of the lowest cost electricity rates in the State.

Hearing no further public comment, Mayor Ferguson closed the Public Hearing at 7:04 P.M.

Mayor Ferguson asked Council to change the order of the evening’s agenda. Council concurred.

Resolution No. 7, Series 2004; Re: Honoring & Commending E.L. “Gus” Jardon.

Councilor Simillion introduced Resolution No. 7, Series 2004, and it was read in its entirety by the Mayor. Mrs. Betty Jardon and Mr. Britt Jardon came forward.

Councilor Stone moved and Councilor Simillion seconded the motion that Resolution No. 7, Series 2004, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, RECOGNIZING THE LATE E.L. “GUS” JARDON FOR HIS SERVICE AND CONTRIBUTIONS TO THE CITY OF GUNNISON**, be introduced, read, passed and adopted this 14th day of December, 2004.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.

Roll call vote, no: None.

Resolution No. 8, Series 2004; Re: Commending Geraldine “Geri” Lancia.

Councilor Smits introduced Resolution No. 8, Series 2004, and it was read in its entirety by the Mayor.

Councilor Smits moved and Councilor Simillion seconded the motion that Resolution No. 8, Series 2004, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, COMMENDING GERALDINE “GERI” LANCIA FOR HER OUTSTANDING PERFORMANCE AS A CITY OF GUNNISON EMPLOYEE**, be introduced, read, passed and adopted this 14th day of December, 2004.

Roll call vote, yes: Stone, Ferguson, Smits, Duba, Simillion. So carried.

Roll call vote, no: None.

Public Works Director Coleman accepted the Resolution for Ms. Lancia.

Resolution No. 9, Series 2004; Re: City Clerk Davidson CMCA Award.

Councilor Smits introduced Resolution No. 9, Series 2004, and it was read in its entirety by the Mayor.

Councilor Stone moved and Councilor Simillion seconded the motion that Resolution No. 9, Series 2004, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, RECOGNIZING GAIL A. DAVIDSON FOR HER OUTSTANDING SERVICE AS CITY CLERK FOR THE CITY OF GUNNISON**, be introduced, read, passed and adopted this 14th day of December, 2004.

Roll call vote, yes: Ferguson, Smits, Duba, Simillion, Stone. So carried.

Roll call vote, no: None.

Council returned to the scheduled agenda order.

Consideration of Minutes:

Regular Session Minutes of November 23, 2004.

Councilor Simillion moved and Councilor Smits seconded the motion to approve the Regular Session minutes of November 23, 2004, as submitted.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits. So carried.

Roll call vote, abstain: Duba. Was absent from the meeting.

Roll call vote, no: None.

Pre-Scheduled Citizens:

Presentation of Superstars of Property Awards. City Planner Antonucci and Mayor Ferguson presented and thanked the following award winner: Commercial Property Category: Ridgeway Accounting – Scott and Kathy Ridgeway, Pioneer Museum – C.J. Miller and the Society Boardmembers, and Diamond K Resort – Kap Fitzgerald and Scott Warren. Residential Property Category: Ben & Grace Cowan, Steven & Katherine Haase – not present, and James Herren – not present.

Unfinished Business:

Proposed 2005 City Budget. Finance Director Hanson and Council had no further changes.

New Business:

Action on Employee Compensation Pay Plan. This item was discussed in detail at the Work Session on December 7, 2004. City Staff gave Council input from their employees regarding the proposed plan. The comments from employees were favorable.

Councilor Stone moved and Councilor Simillion seconded the motion to accept the City of Gunnison Compensation Plan, developed by Mountain States Employers Council and City Management Staff, and as outlined in the memorandum dated December 10, 2004, and to approve the administrative guidelines as presented.

Roll call vote, yes: Duba, Simillion, Stone, Ferguson, Smits. So carried.

Roll call vote, no: None.

Action on Stipulation Agreement, Re: Riverwalk Estates. Public Works Director Coleman informed Council the City is an objector to all proposed upstream projects until an agreement, protecting the City's water rights is developed. City Water Counsel Timothy Beaton is asking Council to authorize Mr. Beaton to proceed with the process and sign the agreement to the stipulations of the Riverwalk Estates application.

Councilor Duba moved and Councilor Stone seconded the motion to authorize City Water Counsel Timothy Beaton to finalize the City's process and sign the agreement to the stipulations of the ruling concerning Riverwalk Estates Case No. 03CW238.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Stone. So carried.

Roll call vote, no: None.

West Gunnison Sanitation District Agreement with City of Gunnison. Public Works Director Coleman informed Council there will be a change to Exhibit A, the legal description of the District, to reflect the addition of the Wildwood Town Home Development.

Councilor Duba moved and Councilor Smits seconded the motion to approve and authorize the Mayor to sign the annual agreement with the West Gunnison Sanitation District for Sewer Service.

Roll call vote, yes: Stone, Ferguson, Smits, Duba, Simillion. So carried.
Roll call vote, no: None.

IGA with Gunnison County, Re: Undesirable Plant Management. This is the annual agreement committing the City to it's budgeted \$1000 participation in the program.

Councilor Stone moved and Councilmember Simillion seconded the motion to approve the Intergovernmental Agreement with Gunnison County, regarding Undesirable Plant Management and to authorize the Mayor to sign said agreement.

Roll call vote, yes: Ferguson, Smits, Duba, Simillion, Stone. So carried.
Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 13, Series 2004, Re: Amending Monthly Rates to be Charged for Electricity Consumed; 2nd Reading.

Councilor Simillion introduced Ordinance No. 13, Series 2004, and it was read by title only by the City Attorney.

Councilor Simillion moved and Councilor Duba seconded the motion that Ordinance No. 13, Series 2004, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, AMENDING THE RATES TO BE CHARGED BY THE CITY OF GUNNISON ELECTRIC DEPARTMENT FOR ELECTRICITY CONSUMED**, be introduced, read, passed and adopted on second reading this 14th day of December, 2004.

Roll call vote, yes: Duba, Simillion, Stone, Ferguson, Smits. So carried.
Roll call vote, no: None.

Ordinance No. 14, Series 2004, Re: Setting a Tax Levy for the City of Gunnison; 2nd Reading.

Councilor Duba introduced Ordinance No. 14, Series 2004, and it was read by title only by the City Attorney. Mayor Ferguson stated for the record the mill levy is being set at 3.868 mills.

Councilor Duba moved and Councilor Simillion seconded the motion that Ordinance No. 14, Series 2004, **AN ORDINANCE SETTING A TAX LEVY FOR THE CITY OF GUNNISON, COLORADO**, be introduced, read, passed and adopted on second reading this 14th day of December, 2004.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.
Roll call vote, no: None.

Ordinance No. 15, Series 2004, Re: Adopting and Appropriating an Annual Budget, 2nd Reading.

Councilor Stone introduced Ordinance No. 15, Series 2004, and it was read by title only by the City Attorney with the following Fund Amounts:

General Fund:	\$ 7,415,079
Enterprise Fund:	\$ 6,547,667
Fleet Management Fund:	\$ 363,500
Special Revenue Fund:	\$ 166,001
Insurance Fund:	\$ 6,700
Total City Budget:	\$14,498,947

Councilor Stone moved and Councilor Simillion seconded the motion that Ordinance No. 15, Series 2004, **AN ORDINANCE ADOPTING AND APPROPRIATING AN ANNUAL BUDGET**, be introduced, read, passed and adopted on second reading this 14th day of December, 2004.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.

Roll call vote, no: None.

Ordinance No. 16, Series 2004; Re: Supplemental Appropriation to 2004 Budget, 1st Reading.

Councilor Duba introduced Ordinance No. 16, Series 2004, and it was read in its entirety by the City Attorney.

Councilor Duba moved and Councilor Smits seconded the motion that Ordinance No. 16, Series 2004, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2004**, be introduced, read, passed and ordered published on first reading this 14th day of December, 2004.

Roll call vote, yes: Stone, Ferguson, Smits, Duba, Simillion. So carried.

Roll call vote, no: None.

City Attorney: Attorney Landwehr informed Council the listing agreement for the Lost Canyon Parcel will expire the end of the month. It is his recommendation to renew the contract with Monarch Realty.

Councilor Smits moved and Councilor Simillion seconded the motion to renew the listing contract for the Lost Canyon Parcel with Monarch Realty, Inc. for a period of one year and to list the property, per the recommendation of Matt Robbins, at \$99,000.

Roll call vote, yes: Ferguson, Smits, Duba, Simillion, Stone. So carried.

Roll call vote, no: None.

City Manager: Mark Collins. Asked Steve Bathje to come forward. Mr. Bathje, of the Metropolitan Recreation District Board, informed Council the Met Rec Board is awarding the City a grant, over two years, to fund the climbing wall at the new Community Center. Council thanked Mr. Bathje and the entire board for the grant. It is a great partnership. City Attorney Landwehr will draw up the IGA.

Acting City Manager/City Clerk: Gail Davidson. The Youth City Council Silent Auction Fundraiser held on Friday, December 10th was a great success. The students raised the seed money needed for the grant from the El Pomar Foundation. The students will have \$8,220 to grant out to area non-profits this spring. Clerk Davidson reminded Council of the City Christmas party this Saturday evening at 6:00 P.M. at the College Union Ballroom.

WSC Intern: Matt Johnston. Updated Council on committee's being formed at WSC to address student alcohol issues. He will have information for Council on the "big box" issue at the December 28, Council Regular Session.

Non-Scheduled Citizens: Ralph "Butch" Clark came forward and addressed Council. He commended Finance Director Hanson for the 2005 City Budget. He asked Council to consider options to get better participation from the public at Council meetings. It is difficult for lower-income people to attend and give their opinions. Mr. Clark also asked Council to look at the donations in the budget. Each activity needs to come back to Council and give a report on their outcome. Mayor Ferguson stated there are no donations, but rather, contracts for service. Each organization is responsible for giving a follow-up report to Council.

General Discussion/Items for Work Session:

Mayor Ferguson: Mayors'/Managers' Meeting Report. The meeting was hosted by Mt. Crested Butte. The Mayor and City Manager reported on the results of the meeting: Crested Butte sales tax is up approximately 10% and the real estate transfer tax is up approximately 400%; The County is proceeding with the Tenderfoot Childcare Center and the Telescope projects; WSC is reporting more attention to higher education at the State level; and REIJ reported they have formed a committee to prioritize projects for the mill levy over-ride funds.

Councilor Smits: December 1st & 8th Planning & Zoning Commission Meetings Reports. Councilor Smits reported the Commission is still working on moratorium issues, including transportation issues with consultant Bill Fox. Councilor Smits also reported on the Gunnison Valley Economic Development Corporation meeting he attended. The GVEDC is essentially out of money and is now fundraising for 2005. There may be a joint meeting of the City, County, Crested Butte and Mt. Crested Butte to discuss funding options. Mayor Ferguson reported he talked with Main Street interim director Jon Schmacher and suggested several potential shared opportunities with other development-type entities.

Councilor Duba: Informed Council the interviews for the new Gunnison Housing Authority Director took place last week and an offer has been extended to an applicant. The "Superstore" Fiscal Impact Analysis Steering Committee is meeting this Friday to conduct interviews. The meeting is open to the public.

Councilors Simillion and Stone: Nothing further to report.

Executive Session: Mayor Ferguson stated the Executive Session is for the discussion of a personnel matter, the City Manager's Annual Performance Evaluation, under C.R.S. Section 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Councilor Stone moved and Councilor Duba seconded the motion to adjourn to Executive Session and that no action will be taken during the Executive Session and it is not anticipated that any other action will be taken upon reconvening at the Regular Session.

Roll call vote, yes: Duba, Simillion, Stone, Ferguson, Smits. So carried.
Roll call vote, no: None.

The Executive Session Adjourned and the Regular Session Reconvened at 8:49 P.M.

Regular Session Adjournment: At 8:49 P.M.

Mayor

City Clerk